

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: DEBORAH M. BEBKO
debtor

: Chapter 13
: Case No. 19-15281

DEBORAH M. BEBKO,
Movant

Hearing to be held
April 20, 2021 at 10:00 a.m. in
U.S. Bankruptcy Court,
201 Penn St., 4th floor
The Gateway Building, Reading, PA 19601

vs.

WILMINGTON TRUST, NATIONAL
ASSOCIATION, NOT IN ITS
INDIVIDUAL CAPACITY, BUT SOLELY
AS TRUSTEE FOR MFRA TRUST 2014-2 ,
Respondent

**DEBTOR'S MOTION TO VACATE ORDER MODIFYING SECTION 362 AUTOMATIC STAY
AND TO REINSTATE THE AUTOMATIC STAY**

AND NOW COMES Deborah M. Bebko, Debtor, by and through her attorneys, John A. DiGiamberardino, Esquire and Case, DiGiamberardino & Lutz, P.C., pursuant to F.R. Civ. P. 60 made applicable to this proceeding by B.R. 9024, and states as follows:

1. Debtor filed a voluntary petition and relief was granted under Chapter 13 of the Bankruptcy Code on August 23, 2019.
2. Debtor's Chapter 13 Plan has not yet been confirmed.
3. By Order entered September 29, 2020, Wilmington Trust, the mortgage holder, and Respondent, obtained relief from the automatic stay to proceed with foreclosure on Debtor's property located at 115 E. Walnut St., Ephrata PA 17522.
4. Debtor has delivered to counsel for the debtor the sum of \$8,000.00 which Debtor believes will provide her a substantial down payment on the post-petition mortgage arrears owed by the Debtor to the Respondent. To the extent that any additional funds are necessary to bring the Debtor current on her mortgage payments, the Debtor proposes to include, in an Amended Plan, an amount necessary to pay the post-petition mortgage payments current. In the event that the automatic stay is

reinstated, Debtor's counsel shall deliver these sums to counsel for Wilmington Trust.

5. The Debtor believes she is able to continue making regularly scheduled post-petition mortgage payments and any payments remaining due under the terms of the Order dated September 29, 2020.

WHEREFORE, Debtor hereby respectfully requests this Honorable Court to vacate the Order dated September 29, 2020 Modifying Section 362 Automatic Stay and to reinstate the automatic stay in Debtor's Chapter 13 case.

CASE & DIGIAMBERARDINO, P.C.

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